

AO 440 (Rev. 05/00) Summons in a Civil Action

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

## SUMMONS IN A CIVIL CASE

SHEET METAL WORKERS LOCAL 265  
WELFARE FUND, et al.

V.

UPDATE HEATING AND COOLING, INC.,  
an Illinois corporation

CASE NUMBER:

**08 C 1290**

ASSIGNED JUDGE:

DESIGNATED

**JUDGE DER-YEGHIAYAN**  
**MAGISTRATE JUDGE SCHENKIER**

MAGISTRATE JUDGE:

TO: (Name and address of Defendant)

UPDATE HEATING AND COOLING, INC.  
c/o Oonie F. Allen, Registered Agent  
16742 89th Avenue  
Orland Hills, IL 60487

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Jennifer L. Dunitz-Geiringer  
BAUM SIGMAN AUERBACH & NEUMAN, LTD.  
200 W. Adams Street, Suite 2200  
Chicago, IL 60606-5231  
(312) 236-4316

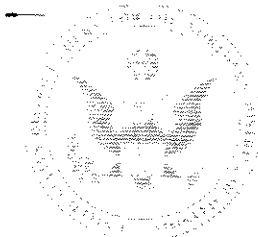
an answer to the complaint which is herewith served upon you, within Twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Michael W. Dobbins, Clerk

  
\_\_\_\_\_  
(By) DEPUTY CLERK

**March 4, 2008**  
\_\_\_\_\_

Date



Form <b>BCA-5.25</b> (Rev. Jan. 1999)	<b>AFFIDAVIT OF COMPLIANCE FOR SERVICE ON SECRETARY OF STATE</b>	File # <u>6206-4447</u>
Jesse White Secretary of State Department of Business Services Springfield, IL 62756 Telephone (217) 524-6748 www.cyberdriveillinois.com	<b>FILED</b> JUN 17 2008 JESSE WHITE SECRETARY OF STATE	<b>SUBMIT IN DUPLICATE</b>
Remit payment in check or money order, payable to "Secretary of State."		This space for use by Secretary of State
		Date
		Filing Fee \$10.00
		Approved: <u>Boh</u>

## 1. Title of the case and number of the case:

SHEET METAL WORKERS LOCAL 265 WELFARE FUND, et al.  
first named plaintiffUPDATE HEATING AND COOLING, INC.  
first named defendantNumber 08 C 1290

2. Name of the corporation being served: Update Heating and Cooling, Inc.
3. Title of the court in which an action, suit or proceeding has been commenced: U.S. District Court Northern District of Illinois
4. Title of the instrument being served: Summons and Complaint
5. Basis for service on the Secretary of State (Check and complete appropriate box):
- a. ☒ The corporation's registered agent cannot with reasonable diligence be found at the registered office of record in Illinois.
  - b. ☐ The corporation has failed to appoint and maintain a registered agent in Illinois.
  - c. ☐ The corporation was dissolved on \_\_\_\_\_, \_\_\_\_\_; the conditions of paragraphs (a) and (b) above exist; and the action, suit or proceeding has been instituted or has affected the corporation within 5 years thereafter.  
(Month & Day) (Year)
  - d. ☐ The corporation's certificate of authority to transact business in Illinois has been (withdrawn)/ (revoked) on \_\_\_\_\_, \_\_\_\_\_.  
(Month & Day) (Year)
  - e. ☐ The corporation is a foreign corporation that has transacted business in Illinois without procuring a certificate of authority, contrary to the provisions of the Business Corporation Act of 1983.
6. Address to which the undersigned has caused a copy of the attached process, notice or demand to be sent, by certified or registered mail: 16742 89th Avenue, Orland Hills, IL 60487
7. The undersigned affirms, under penalties of perjury, that the facts stated herein are true.

Signature of Affiant

June 12

Month &amp; Day

2008

Year

( 312 ) 236-4316

Telephone Number

## RETURN TO: PLEASE TYPE OR PRINT CLEARLY

Jennifer L. Dunitz-Geiringer

Name

200 W. Adams Street, Suite 2200

Street

Chicago, IL 60606-5231

City/Town

State

ZIP

## INSTRUCTIONS

After complying with the reverse side, especially statement 5 and 6, service may then be made on the Secretary of State:

1. A copy of the process, notice or demand;
2. A copy of any papers to be served therewith;
3. An affidavit of compliance; \$10.00 fee.

Following service on the Secretary of State, another effort must be made to serve the corporation by Certified or regular mail. **This** attempted service must include items 1 and 2 of the above in addition to a notice of service on the Secretary of State.

The effort to serve the corporation shall be:

1. At the last registered office of the corporation as shown on the records of the Secretary of State;

**AND**

2. At such address the use of which the person instituting the action, suit or proceeding knows, or on the basis of reasonable inquiry has reason to believe, is most likely to result in actual notice.

This affidavit will be stamped with the date of filing and returned to the affiant as the only proof of filing.

RECEIVED  
8002 6 1 NUP  
Baum Sigman